

REMARKS

Claims 2-9, 11-17, and 19-28 are pending in the application. Applicant notes that in the Office Action Summary, the Disposition of Claims states that claims 2-9, 11-17, and 26-28 are pending, which is incorrect. Additionally, Applicant notes that the Office Action at page 2, paragraph 2 states that claims 26, 27, and 28 have been cancelled, which is also incorrect. In view of the following remarks, Applicant respectfully requests allowance of the application and correction of the statements noted above.

CLAIM 1 DEFINES OVER THE CITED ART

Claims 2-9, 11-17, and 19-28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Simons (Understanding Active Directory Replication, pages 171-180), in view of Ericsson et al. (SyncML Protocol, version 1.0.1, pages 1-17 and 26-50), and further in view of Lambert et al. (U.S. Patent No. 6,038,601) and Wang (U.S. Pat. Pub. No. 2004/0019614). Applicant submits that the cited references do not teach each of the limitations of independent claims 26-28, and also do not render the claims *prima facie* obvious because the combination of the cited references would render the prior art unsatisfactory for its intended purpose and would change the principle of operation of each of the cited references. *See MPEP § 2143.01 (8th ed., rev. 5, Aug. 2006).*

Independent claim 26 recites:

responsive to a replication request received from the network server,
replicating an object instance,
creating a notification message, and
queuing the object instance and ***notification message;***
responsive to a periodic polling request received from the mobile device,
sending the notification message to the mobile device; and
thereafter,
responsive to a synchronization request received from the mobile device,
sending one or more replicated object instances to the mobile device.

The Office Action at page 3 states that “Ericsson discloses creating and queuing a notification message (fig. 10, Package 0 sync alert from server to client).” However, Ericsson does not teach or suggest that these steps may be performed responsive to a replication request received from the network server. It appears from Fig. 10 of Ericsson that the sync alert is sent in response to a “Sync order” ***from a User*** who submits that Sync order to the SyncML server. Therefore, the Ericsson does not teach creating and queuing a notification

message in response to a replication request received from the network server. The Office Action additionally states at page 3 that Ericsson discloses “sending the notification message to the mobile device (fig. 10, Package 0 sync alert from server to client).” However, Ericsson does not teach or suggest that this step may be performed ***responsive to a periodic polling request received from the mobile device.***

The Office Action then states that “Lambert discloses responsive to a periodic polling request received from the mobile device, sending the notification message to the mobile device (col. 26, lines 42-45, a client polls a server to see if content has been changed, then change notification message is used to respond to the client).” However, Lambert does not disclose a ***periodic polling request*** as asserted in the Office Action. In fact, Lambert specifically states that the disclosed polling requests are *non-periodic*. *See Lambert*, col. 26, lines 45-51 (“As long as the publisher’s notifications arrive at regular intervals driven by the content, polling will almost never occur. Polling will occur only in the unlikely event that a packet was dropped between the publisher and the subscriber, or in the case where the subscriber’s machine was disconnected from the network for a sufficiently long period of time.”).

Finally, Applicant submits that the combination of the cited references would render the prior art unsatisfactory for its intended purpose and would change the principle of operation of each of the cited references. For example, Simon discloses an Active Directory replication process in which a “change request” is sent from one domain controller to all other domain controllers followed by an “originating update.” The replication process disclosed by Simon occurs irrespective of any request from other domain controllers to the originating domain controller. Thus, combination of Simon with systems in which updates require a request by the device to be updated would change the principle of operation of Simon. In addition, while the Office Action states that Lambert discloses sending the notification message in response to a periodic polling message, as stated above, Lambert states that the polling messages “will almost never occur.” *See Lambert*, col. 26, lines 45-51. As a result, they are non-periodic and the notification message would “almost never occur,” thus rendering Ericsson and Simon unsatisfactory for their intended purposes of replication and synchronization of changes occurring between entities. Therefore, Applicant submits that the teachings of the cited references are not sufficient to render the present claims *prima facie* obvious. *See MPEP § 2143.01* (8th ed., rev. 5, Aug. 2006).

Because the cited art fails to teach each and every limitation of independent claim 26, Applicant respectfully requests that this rejection be withdrawn. Independent claims 27 and 28 recite limitations similar to those in claim 26 and are therefore allowable for at least the reasons applicable to claim 26. Claims 2-9, 11-17, and 19-25 depend from independent claims 26-28 and are allowable for at least the reasons applicable to claim 26-28, as well as due to the features recited therein.

CONCLUSION

In view of the above remarks, it is believed that the application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact Brett Watkins at (202) 220-4430.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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